

A Municipal Approach to a Trap, Neuter, Vaccinate & Manage Program

A Guide to
Animals in the Community
Feral Cat Program



IFAW
International Fund for Animal Welfare

*With thanks to
the International Fund for Animal Welfare
for providing financial support.*

*Special thanks to the members of the Sustainable Jersey Task Force
who assisted in the development of this document.*

Special thanks to the members of the Sustainable Jersey Task Force who assisted in the development this document. The statements in the report should not be taken to represent the views of all participants or the policies of the organizations they represent:

Heather Cammisa, St. Hubert's Animal Welfare Center, hcammisa@sthuberts.org (www.sthuberts.org/)

Dr. Colin Campbell, New Jersey Department of Health, Colin.Campbell@doh.state.nj.us, (www.state.nj.us/health/animalwelfare/index.shtml/)

Mark Caputo, Randolph Township, mcaputo@randolphnj.org (www.randolphnj.org/government/health)

Ralph J. D'Aries, New Jersey Association of County and City Health Officials, info@njaccho.org (www.njaccho.org)

Dr. Karen Dashfield, Antler Ridge Animal Sanctuary, kdashfield@hotmail.com (www.antler-ridge.com/)

Niki Dawson, Somerset Regional Animal Shelter, ndawson03@aol.com, (www.readypetsgo.com)

Donna Drewes, Sustainable Jersey, drewes@tcnj.edu (www.sustainablejersey.com)

Jay Elliott, Edison Township, jelliott@edisonnj.org www.edisonnj.org

Winnie Fatton, Sustainable Jersey, fatton@tcnj.edu (www.sustainablejersey.com)

Geoff Goyette, Career Development Institute, geoff@cditraining.org (www.cditraining.org/)

Dianna Lachman, New Jersey Local Boards of Health Association, arosacats@gmail.com (www.njlbha.org/)

Michelle Lerner, Esq., Animal Protection League of NJ, michelle.lerner@aplNJ.org (www.aplnj.org/)

Michael Melchionne, New Jersey Certified Animal Control Officers Association, mmelchionne@comcast.net (www.njcacoa.org/)

Cindy Milburn, International Fund for Animal Welfare, CMilburn@ifaw.org (www.ifaw.org/united-states)

Lisa Perry, New Jersey Certified Animal Control Officers Association, lperry@bloomingdalenj.net (www.njcacoa.org/)

Michael S. Richmond, Esq., New Jersey Bar Association, Animal Law Committee, msrnjlawyer@yahoo.com (www.community.njsba.com/AnimalLawSpecialCommittee/home/)

John Saccenti, Career Development Institute and International Fund for Animal Welfare, saccenti@comcast.net (www.cditraining.org/)

Kathleen Schatzmann, The Humane Society of the United States, kschatzmann@humanesociety.org (www.humanesociety.org/forms/states/contact_new_jersey_director.html)

Jill Van Tuyl, American Society for the Prevention of Cruelty to Animals, jill.vantuyl@aspca.org (www.aspcapro.org/jill-vantuyl)

Chris Waldron, Sustainable Camden County, cwaldron@camdencounty.com (www.sustainable.camdencounty.com/)

Loretta Windas, Animal Welfare Advocate, lwindas@optimum.net

INTRODUCTION/PURPOSE

Trap, Neuter, Vaccinate and Manage (TNVM), also referred to as Trap-Neuter-Return (TNR), is a humane method of managing the feral/free roaming cat population with the long-term goal of reducing and eventually eliminating it within a municipality. TNVM has resulted in reduced cat populations and large financial savings for many New Jersey municipalities. The goal of this document is to offer practical information and tools that municipalities can use to address their own feral/roaming cat population.

Traditional Trap, Neuter, Vaccinate and Return (TNVR) programs have been recognized as one tool in controlling the feral cat population. Recently, the Veterinary Special Interest Group (VSPIG) of the American Public Health Association evaluated the appropriateness of TNVR programs as they relate to public health. This group deliberated this issue over several years and recently endorsed a statement recognizing management of feral cat colonies through TNVR (Trap Neuter, Vaccinate and Return) as an acceptable tool in controlling zoonotic disease.¹

The VSPIG emphasizes that the vaccination component of TNVR should be included in the name for the program. Taking this into account, and recognizing that the terms “release” or “return” are really an inadequate representation of what is required in colony management, where the goal is, eventually, not to have a colony, Sustainable Jersey’s Animals in the Community Task Force recommends the best practice of “Trap Neuter Vaccinate Manage (TNVM),” to manage feral cat colonies.

Another very useful document, “Managing Community Cats: A Guide for Municipal Leaders,” published by the Humane Society of the United States (HSUS)² and the International City/County Management Association (ICMA)³ in 2014, summarizes the dynamics of the issue, the stakeholders, and method efficacy, as well as addresses concerns and provides links to funding and additional resources. The recommended method of addressing community cats is called TNVR for **T**rapping the cats, **S**terilizing, **V**accinating and **R**eleasing. Why

and how this method is effective and why others fail is detailed. With graphs, charts, case examples and citations, this guide can easily assist with both internal and public communications, including the media. The 32 page booklet is available at:

www.humanesociety.org/issues/feral_cats/tips/help_outdoor_cats_officials.html

Domestic cats can provide excellent companionship and make wonderful pets. Many organizations believe that keeping cats indoors is safer and healthier for cats since outdoor cats, especially “un-owned” cats, can be prone to parasites and diseases, predation, trauma and potentially reduced lifespan.

If your municipality is planning to implement a TNVM program, you may encounter concerns from wildlife and birding advocates, who feel that outdoor cats can also negatively affect wildlife populations, especially birds and small mammals.

WHAT IS A FERAL CAT? WHY DO FERAL CATS NEED MANAGING?

Tame pet cats that are socialized to humans should live indoors in homes, where they are safest and where they are prevented from impacting local wildlife populations. There are many resources available to help keep your cat happy indoors. The Humane Society of the United States provides information about this at: www.humanesociety.org/animals/cats/tips/cat_happy_indoors.htm, and additional information on “Cats and Wildlife: Keeping Everyone Safe” is available at: www.humanesociety.org/animals/cats/facts/cat_wildlife.html.

Feral cats are not socialized to humans, usually born outdoors and congregating in groups where they reproduce unchecked. According to the Humane Society of the United States, feral cats are “extremely fearful of people and not welcoming of human attention, making them unsuitable for home environments.”

In the State of New Jersey it is estimated that there are somewhere between 600,000 and 1.4 million feral/free roaming cats. The UC Davis Koret School of Shelter

¹ This policy has been recommended by the VSPIG for adoption by the full APHA, but as of this writing it has not yet been adopted as an APHA policy

² Founded in 1954, The Humane Society of the United States is the nation’s largest animal protection organization advocating on behalf of all animals, domestic and wild.

³ Founded in 1914, ICMA, the International City/County Management Association, advances professional local government worldwide. Our mission and vision is to create excellence in local governance by developing and fostering professional management to build sustainable communities that improve people’s lives worldwide. ICMA provides member support; publications; data and information; peer and results-oriented assistance; and train. www.icma.org

medicine estimates that if you divide the municipal population by six, you will come up with an estimated number of feral/community cats in a jurisdiction. Another formula, used by Petsmart Charities, divides the human population by 15. If we apply each of these formulas to the state population we arrive at a population range of 600,000 to over 1.4 million feral/community cats.

While demographics and geography vary by municipality, these formulas will give an estimate of the extent of the feral cat population in your community.

These cats are in neighborhoods, industrial areas, and commercial and open spaces. While some find their way into homes and shelters, most of them are left to fend for themselves or are cared for by concerned citizens, while continuing to reproduce. Traditional municipal approaches, such as removing and euthanizing them in response to complaints or enacting feeding bans, have failed to reduce or even stabilize their populations. Mark Kumpf, past president of the National Animal Control Association, has referred to such approaches as “bailing the ocean with a thimble,⁴” and has noted that no municipality in the country has the money that would be required to put a dent in the population through removal and euthanasia.

New Jersey achieved national recognition for reductions in community canine conflicts and for achieving a low rate of dog euthanasia in New Jersey impound facilities and shelters. This has saved lives and dollars and reduced community conflicts and concerns. The same level of success has not been achieved for cats in New Jersey and while New Jersey shelters are routinely full with felines, only 2–3 percent of cats impounded are ever reclaimed by owners. Despite tremendous resources going to adoption efforts, nearly five times as many cats are euthanized as dogs.⁵ This creates both a morally and financially unfavorable outcome for communities and conflicts in the community remain high. No one in the animal welfare arena and the greater majority of municipal residents wants to see healthy cats euthanized. Feral/community cats are a large percentage of those euthanized after seven days of impoundment at great expense and risk to shelter workers having to handle them, due to the inability to socialize them and to adopt them into homes.

According to a nationally representative survey by Harris Interactive, “An overwhelming majority of Americans believe that leaving a community cat outside to live out his life is more humane than having him caught and euthanized. Fully 81 percent of Americans would leave the cats alone; only 14 percent support trapping and euthanizing un-owned cats.⁶”

Incidents of rabies and disease in feral/community cats are holding steady, as evidenced by DOH rabies’ statistics (www.state.nj.us/health/cd/rabies_stats.shtml), thus making this a community health issue.

A broader approach than traditional methods used to address canine conflicts, which recognizes the unique population dynamics of felines and engages the community to solve what is a community issue, is the crux of this **Guide to the Animals in the Community Feral Cat Program** from the Animals in the Community Task Force in Sustainable Jersey.

According to the International Cat Management Coalition’s document, **Humane Cat Population Management Guidance**, “responsibility for cat population management properly resides with local or central government. Animal welfare NGOs should not be required to take on the domestic animal management functions that properly reside with the local authority other than through a contractual agreement, with appropriate funding and resources...NGOs (need) to target their support where it can be most effective and to make the best use of limited resources.” (“Humane Cat Population Management Guidance,” by ICAM accessed at www.ifaw.org/sites/default/files/ICAM-Humane%20cat%20population.pdf)

WHAT IS TNVM?

Trap, Neuter, Vaccinate and Manage (TNVM) is the non-lethal population control technique utilized in managed cat colonies to humanely capture, vaccinate, identify, and spay or neuter (sterilize) cats. Kittens and cats that are tame enough to be adopted should be sterilized and placed into homes. Adult cats are returned to the colony where, with proper management and oversight, they live out their lives under the supervision of the colony caregivers and other community volunteers. Cats will need to be re-trapped periodically to update their vaccinations and receive medical care.

⁴ Out of Control, Into Compassion,” July 1, 2009 ” interview with Mark Kumpf in the Humane Society’s Animal Sheltering magazine. www.animalsheltering.org/resources/magazine/jul_aug_2009/out_of_control_into_compassion.pdf

⁵ In 2012, less than 4,700 dogs were euthanized according to statistics from 105 facilities. Nearly five times that many cats were euthanized. Annual Statistics available at www.state.nj.us/health/cd/izdp/vph.shtml

⁶ Karyen Chu and Wendy M. Anderson, “U.S. Public Opinion on Humane Treatment of Stray Cats,” Law & Policy Brief (Bethesda, MD: Alley Cat Allies, September 2007. Accessed 7-7-14 www.alleycat.org/document.doc?id=61)

HOW TNVM WORKS

TNVM is a partnership between local government and residents and community groups, in which populations of feral cats are stabilized and reduced through spaying/neutering, with young kittens and friendly adults being removed for adoption. When government and community members work together as a team, their combined resources greatly facilitate the success of the program. Recent grants to Edison, NJ, by IFAW through Sustainable Jersey show positive results when government collaborates with community members.

The components of TNVM are:

- Trapping the cats for sterilization and vaccination
- Removal of friendly cats and young kittens for adoption
- Ongoing management of returned sterilized and vaccinated feral cats

Municipalities can and should be involved in the coordinated effort to trap, sterilize, and vaccinate the cats, either through direct involvement of Animal Control or by overseeing nonprofits and residents engaged in the process and helping them to fund it. Depending on the structure of the specific program, the municipality may also be involved with removal and adoption of friendly cats and young kittens.

Ongoing management of returned feral cats is usually provided by residents or nonprofits designated as caregivers, rather than directly by the municipality. Based on ICAM's "Humane Cat Population Management Guidance: International Companion Animal Management Coalition," and the opinion of the Sustainable Jersey Animals in the Community Task Force, *a caregiver is defined as a person(s) or sponsoring agency that monitors the colony and provides a guardianship component to include an adequate level of care that includes food, shelter where possible, basic veterinary care (vaccination, neutering, parasite control) and if possible, veterinary care when ill or injured and humane euthanasia when animal is suffering and veterinary care is not possible or practical included. When veterinary care is not possible, and an animal is suffering, humane euthanasia is appropriate. The caregiver also is responsible for compliance with all municipal ordinances and state statutes relating to the well-being of the animals in the colony.*

HOW TO ASSESS YOUR MUNICIPALITY'S NEED FOR THIS PROGRAM

As noted above, you can get a rough estimate of the number of feral and free-roaming cats in your municipality by dividing the human population by six or 15. The Humane Society of the United States divides by ten as a middle ground between these two formulas. For a municipality with 10,000 residents and no management program, you can assume approximately 1,000 feral and free-roaming cats. For a municipality with 30,000 residents, the number may be close to 3,000.

The first step in determining the appropriate program for your municipality is to assess your municipality's basic animal control data.

First, gather the following animal control data from your municipality for each of the last three – five years:

1. Number of cats impounded
2. Number of cats euthanized
3. Amount of money spent impounding and euthanizing cats
4. Number of complaints about cats

When traditional methods of cat control have been used, municipal officials tend to notice one of two things when looking at these numbers:

- a. The municipality is spending an increasing amount of money to impound and euthanize an increasing number of cats, and yet the number of complaints is going up rather than down, or
- b. The municipality is not doing much of anything to address the feral and free-roaming cat population.

In contrast, municipalities that use TNVM tend to see a reduction in numbers of cats on the streets, numbers of cats impounded and euthanized, money spent controlling cats, and numbers of complaints.



ASSESSING YOUR CAPACITY: WHICH MODEL IS RIGHT FOR YOUR MUNICIPALITY?

A good first step is to determine your Animal Control and shelter's ability to help. They are the ones currently dealing with the feral cat problems in your communities, i.e. picking up and sheltering stray cats; picking up kittens; answering calls from concerned residents, etc. Local Animal Control and the shelter may have resources available to help with the TNVM project as well as to provide valuable oversight to the initiatives.

The municipality can and should engage with already existing local groups who have been doing the TNVM on their own. They are a good source of labor, expertise, and equipment. By utilizing these existing groups, and clearing away any barriers to their continuing their work, the municipality will be able to "quick start" the program while developing a longer-term approach.

Once you have a sense of the capacity of Animal Control, the local shelter, and/or local NGOs and volunteer groups to assist with TNVM, this will help you to choose the structure for your municipal TNVM program. See the Resource Compendium for examples.

A common and successful method for structuring TNVM programs in New Jersey is to have a "sponsor" entity which is responsible for the TNVM and is overseen by the municipality. The sponsor entity is often a nonprofit, such as a local cat rescue or TNR organization or shelter, but is sometimes a town committee. The benefit of structuring a program in this way is that nonprofits have the human and financial resources, as well as the experience, to conduct a comprehensive program. They can buy a large number of traps, negotiate fees with local veterinarians or set up transports to low-cost spay/neuter clinics, and either do the trapping or provide training for doing so. If the sponsor entity registers the caregivers and is responsible for their oversight, then the sponsor entity can report directly to the town, saving both the caregivers and the town a lot of administrative work and making communication smoother and accurate record-keeping more likely. For examples of ordinances using the sponsor concept in collaboration with nonprofits, see links to West Milford's



(shelter as sponsor) and Tabernacle's (TNR organization as sponsor) ordinances in the Resource Compendium.

If there is no local nonprofit ready and able to take on this responsibility, it is possible to establish a town committee to do so. This model was created by Point Pleasant Beach and Hightstown, and those towns have very successful programs in which town committees do all the fundraising, trapping, and oversight. The success of this model depends on the residents available to fill and lead a committee, however, and the model has thus had mixed results in other towns where it has been tried, being an overwhelming success in some and in others resulting in very little TNVM getting done. If a town official or staff member with some experience, such as the Animal Control Officer or the business

administrator or a council member can chair the committee for its first year to get it off the ground, it may have a better chance of succeeding. For an example of an ordinance appointing a town committee as the sponsor entity, see Pt. Pleasant Beach's ordinance in the Resource Compendium. A few municipalities use this model but instead of a town committee, appoint an individual to oversee the program. Garfield, NJ, is an example of a municipality with an ordinance

based on this model. For a potential OPRA-related drawback to having a town committee as the sponsor entity, see the section on legal issues.

If neither a nonprofit nor a town committee can be appointed sponsor, the municipality can set up a program in which it manages and provides support to the colony caregivers directly. However, be aware that this approach is likely to be less comprehensive, more work for the town, and have less success in getting the people who are currently feeding colonies to participate in the program and get the cats neutered and vaccinated. Some caregivers are elderly and feeding cats in their backyards, and are unlikely to participate in a program that requires them to trap the cats, transport them somewhere, do post-operative care, keep detailed records, submit them to the town, and report to the town on a regular basis. If the municipality wants or needs to work directly with caregivers, it is likely to be most successful if, as in Edison, the Animal Control Officers are able to do much of the work involved, from

trapping and transport to post-operative care and filing of records. For an example of an ordinance requiring caregivers to register directly with the municipality, see Lodi's ordinance at: www.law.resource.org/pub/us/code/city/nj/Lodi.html.

Whichever model is chosen, the municipality should assign one department or agency the role of oversight entity for getting a program off the ground and overseeing it. Most likely that would be Animal Control unless animal control is being contracted out. Then the health department should take the lead.

DO YOU NEED AN ORDINANCE, OR AN AMENDMENT TO EXISTING ORDINANCES?

If your municipality has no existing ordinances that would interfere with TNVM or the management of sterilized colonies, then you can begin a TNVM program without introducing any new legislation. However, the New Jersey Department of Health and Senior Services (NJDHSS) recommends the adoption of ordinances setting out guidelines (www.state.nj.us/health/animalwelfare/stray.shtml). These ordinances specify: what a colony is; defines the colony manager; specifies sheltering and feeding requirements; timing; licensing requirements; and colony record keeping.

If your municipality has existing ordinances that interfere with TNVM or colony management, you may need to seek an amendment of those ordinances and/or passage of a TNVM ordinance. Examples of ordinances that can interfere with TNVM are feeding bans that explicitly prohibit the feeding of feral or stray cats, licensing ordinances that require individual licensing of any cat that the property owner allows to remain on the property, and ordinances prohibiting cats from being outside or free roaming. Most municipalities in New Jersey do not have ordinances phrased in these ways, but if yours does you may need to seek an amendment exempting feral cats that are part of the TNVM program and/or passage of a TNVM ordinance with explicit guidelines. For sample ordinances, see the Resource Compendium.

Neighborhood Cats has some resources to help develop local ordinances which can be reviewed at: www.neighborhoodcats.org/resources_ordinances.

The Animal Protection League of New Jersey's Project TNR serves as a clearinghouse for New Jersey TNVM ordinances and provides free technical support to New Jersey municipalities with drafting customized TNVM ordinances.

See: www.aplnj.org/tnr-municipal-services.php.

See also the "Useful Links" section of NJ DOH Office of Animal Welfare website: www.state.nj.us/health/animalwelfare/links.shtml.

WHERE DOES THE FUNDING COME FROM?

TNVM is cheaper than impounding and euthanizing cats. Feral cats can be sterilized and vaccinated for \$50 or less in many parts of the state, and much of it can be funded through grants and donations.

TNVM should reduce, rather than increase, the expenditure of taxpayer dollars for cat control. However, for a program to be sustainable, the municipality must be involved in the raising of such revenue, even if a nonprofit sponsor entity does the actual TNVM.

Sources for funding TNVM include:

- **Reduction in impoundment and euthanasia fees.** Edison Township established a TNVM program in 2013, when over 350 feral/community cats were spay/neutered, vaccinated, and released back to the caregivers, and there was a corresponding 57 percent drop in the shelter's cat intakes and a 34 percent decrease in cat euthanasia, with resulting reductions in sheltering costs. Mt. Olive Township has saved over \$15,000/year in impoundment and euthanasia fees since implementing a TNVM program in 2009 and puts half the financial savings back into the TNVM program.
- **Increasing licensing compliance and licensing revenue** through an incentive program and annual dog and cat census (See "A Municipal Guide to Enhanced Licensing Compliance" white paper.) The census program in Edison is being done year round and supervision is being provided by Animal Control and the Health Director. Program sustainability has been achieved since the Edison Animal Shelter and Edison Animal Control operated entirely in the black for 2013 and were not funded by other municipal accounts. Edison Township provides 24-hour animal control for five municipalities and does not outsource any animal related services.
- **Grants from foundations** such as Petsmart Charities, Petco Foundation, ASPCA, and various smaller and larger organizations at the state and federal level. See the Resources Compendium for links.
- **Donations** from caregivers and concerned residents. The municipality can add a voluntary donation line for TNVM to dog and cat license applications and renewal forms. Maricopa County, AZ, (population >4,000,000) now raises \$30,000-\$50,000

per month using a voluntary donation line, which they use for spay/neuter and other animal welfare programs. You may also want to approach local nongovernmental organizations for donations of funds or supplies, such as faith-based groups, service groups such as the Kiwanis and Elks, and scouting groups.

- Forming a **municipal committee to raise funds** through events such as tricky trays, dinners, flea markets, and other traditional grassroots fundraising mechanisms.

Low-cost spay/neuter surgeries

Spay/neuter surgeries and vaccinations can be accessed at discounted rates from low-cost clinics such as People for Animals in Hillside and Robbinsville, the Animal Welfare Association in Voorhees, local and county shelters, and local vet offices willing to participate in the program. For municipalities on the western and southern edges of the state, there are also low-cost clinics available just over the borders of PA and DE. See the Resources Compendium for links and contact information for low-cost clinics, providers, and voucher programs or www.spaynj.org/feral-cats/ for a directory by county.

Another resource is local veterinarians, who can get up to two continuing education credits per cycle by providing free services to a municipally-approved TNVM program. In 2010, the legislature amended the N.J.S.A. C. 45-16.9.4a to state that veterinarians can get one credit for every two hours spent providing spay/neuter services to a municipally-approved managed cat colony. The State Board of Veterinary Medical Examiner regulations specify that such services can be provided to “a cat in a municipally approved managed cat colony provided the colony [sic] attests to the licensee that the cat being treated is feral or stray with no known caregiver.” N.J.A.C. 13:44-4.10

Municipalities are encouraged to send letters to local veterinarians asking if they would like to participate in that program by assisting the municipality with up to 4 hours of pro bono spay/neuter services. How many cats can be spayed or neutered in that amount of time depends on the sex and pregnancy status of the cats.



HOW TO FIND THE COLONIES

Your Animal Control Officers and/or shelter staff may be aware of some or many of the colonies. Your municipality's animal control data also will provide clues as to where the cats are located. There may be areas where the majority of impounded cats come from or neighborhoods with higher than average numbers of complaints about cats. These are good places to start. Municipal employees in other departments, such as public works, housing, and recreation, may also be aware of feral cat populations.

Another good way to find out where the cats are is to reach out to residents in the community who are managing colonies and offer spay/neuter assistance for those colonies. This will give you an indication of their immediate needs. Start with the groups that are in immediate need of assistance and grow from there. In many cases, when cat colony caregivers find out that you are proactively starting a program, they will reach

out to you for assistance. This happened in Edison where the TNVM program started in areas where there were well-known cat colonies. These initial groups of colony caregivers were receiving assistance from larger organizations like People for Animals and Alley Cat Allies. Once these caregivers realized that the municipality was there to help, they readily and enthusiastically engaged with the township.

You should also use an animal canvass to locate groups of roaming cats. Identify homeowners' associations and the landlords of multi unit housing facilities. Many homeowners' associations and some landlords maintain a census of pets on their properties and often have issues with feral cats. Industrial property managers and owners are yet another way to survey for active groups of cats.

Petsmart Charities has determined that the best and fastest way to reduce feral cat populations is to concentrate TNVM efforts in specific neighborhoods, starting where data or outreach indicates the problem is biggest and progressing neighborhood by neighborhood through the municipality. This is more effective than sterilizing cats in discrete pockets throughout the city, in terms of population dynamics. For more information on this see, “Community TNR: Tactics and Tools” by Bryan Kortis, which is published by Petsmart Charities. To download a digital copy, or to order a print copy, visit: www.petsmartcharities.org/pro/community-tnr-tactics-and-tools

LOCATIONS OF COLONIES

Feral cats already live wherever they live. TNVM does not create colonies of cats anywhere; it is simply the sterilization and vaccination of cats already living in the environment. In general, wherever there are cats, it is beneficial to get those cats sterilized and vaccinated.

The New Jersey Department of Health (NJDOH) defers to local officials to determine the appropriateness of allowing a managed cat colony at a site within a municipality www.state.nj.us/health/animalwelfare/stray.shtml.

Colonies must be managed in cooperation with the local animal control and health agencies, wildlife organizations, humane groups and veterinarians. The municipality may require additional steps, such as fencing or relocation, if colonies are in areas where at-risk, including threatened and endangered wildlife populations, could be compromised or where they may pose an unusual nuisance or zoonotic disease risk that cannot be mitigated through basic TNVM. Consideration should be given to the environmental impact of feral/community cat colonies, since free-roaming cats in the U.S. kill a large number of birds and small mammals. www.nationalzoo.si.edu/scbi/migratorybirds/blog/?id=112. Care must be taken to ensure that management of colonies occurs with the least negative impact possible. The New Jersey Feral Cat and Wildlife Coalition developed protocols for colony management in municipalities with cat-vulnerable at-risk wildlife populations (such as endangered or threatened ground nesting birds), accessible at: www.aplnj.org/assets/pdf/Pilot_Program_Cats_Wildlife.pdf

The operation of the colony must comply with all local ordinances and receive landowner permission.

Legal Concerns

Cats in a managed colony are not subject to impoundment under state law

N.J.S.A. 4:19-15.16(a)(5) directs animal control officers to impound a cat “off the premises of the owner or the person charged with its care that is reported to, or observed by, a certified Animal Control officer to be ill, injured, or creating a threat to public health, safety, or welfare, or otherwise interfering with the enjoyment of property.”

A TNVM’d cat on the property of the caregiver, or property where the cat is managed with property owner permission, is not “off the premise of ... the person charged with its care” and is therefore not subject to

impoundment under state law. NJ DOH confirms this in its Feral and Free-Roaming Cat Policy at www.state.nj.us/health/animalwelfare/stray.shtml.

The New Jersey Domestic Companion Animal Council (DCAC) Guidelines for Managed Cat Colonies also states “[w]ith respect to State statutes regarding the impounding of stray animals (N.J.S.A. 4:19-15.16), animals contained in a properly managed colony (i.e., in compliance with the “DCAC Guidelines for Maintaining Managed Cat Colonies”) would not be considered stray and therefore not eligible for impoundment without cause.”

Nuisance abatement

If cats in a managed colony create a nuisance on another person’s property, however, that is “interfering with enjoyment of property” and if not resolved, subjects the cat to impoundment under state law. It is therefore very important that TNVM programs have strong nuisance abatement components.

Doing TNVM should in itself resolve most nuisance behavior of feral cats, as much of it is related to cats not being neutered: spraying and leaving feces unburied (marking territory), fighting, caterwauling, roaming, and having kittens. All of this normally stops when the cats are neutered. Municipalities tend to see a sharp decline in cat-related nuisance calls after implementing TNVM.

For the small number of cases where issues still persist, there is a toolkit of proven techniques to abate nuisances, from employing motion-activated sprinklers on the affected property, to placing litter boxes or sand pits on the property of the caregiver, depending on the issue. Neighborhood Cats (www.neighborhoodcats.org) and Alley Cat Allies (www.alleycat.org) both offer good resources on their websites for resolving nuisances.

While some caregivers may be able to abate nuisances on their own, nonprofits and/or animal control may be in a better position to do so, in terms of having the knowledge and resources available and the neutrality necessary to engage neighbors. If there is a sponsor entity, that entity is the often the most appropriate actor to be charged with nuisance abatement.

Most TNR ordinances provide a set period of time, such as 60 days, for the entity responsible for nuisance abatement to completely resolve a particular complaint, or, failing that, to relocate the relevant cat, before Animal Control will resort to impoundment. At least one ordinance, while providing 60 days, requires the entity responsible for nuisance abatement to begin the process within 48 hours of the complaint.

If property owners are on board from the beginning, nuisance complaints are less likely to occur.

In Edison, it was found that when neighboring property owners were included in the initial discussion regarding TNVM of the colony, in all cases they did not want to see healthy animals killed. By including them in the process, they were informed that the effects of the program would be less roaming of the cats (they stay close to their food source) and the goal of the program was zero growth, as well as gradual colony attrition. In most cases, the adjacent property owners had been living with the cats for some time and looked at the TNVM program as a good solution to their concerns.

If a nuisance persists and cannot be abated, which is extremely rare, relocation of a cat or cats can be considered. However, relocation of a feral colony is a difficult thing to achieve, as feral cats will try to get back to their original territory. They must be enclosed for four weeks at the new location before being released, and they still may leave. This option should only be used in extraordinary circumstances. Another option, preferable to relocation, is enclosing the colony on the caregiver's property with cat-proof fencing available from Purrfect Fencing and Cat Fence-In.

OPRA (Public Records requests)

It is, in all cases, very important to keep colony locations discreet, in order to prevent harm to the cats, vandalism to their shelters and caregiver property, and dumping/abandonment of cats. It is recommended that municipalities guard the locations of colonies.

One issue is that colony records maintained by the town may be subject to OPRA requests, and that such records may contain location information that should not be disclosed. While it is possible for the town to assert a privacy exception for residential colony locations under the preamble to the Government Records Council regulations, it is unclear whether this would be upheld and the exception is unlikely to be available for commercial locations. For this reason, some municipalities eschew the role of record holder for feral colonies and instead require that caregivers register with a specified nonprofit sponsor entity and that the nonprofit sponsor entity maintain records on its own, make the records available for inspection by the municipality, and file general reports with the municipality that do not include exact colony locations. It should be noted that having a town committee or the animal control officers collect and/or maintain records may raise OPRA issues.

GETTING INTO THE DETAILS

There are very good resources available with step by step instructions for setting up and engaging in TNVM, from outreach to trapping to post-operative care to colony management. Here are some of these resources, followed by a brief set of common questions and answers:

1. Neighborhood Cats TNR handbook (2nd Edition): www.neighborhoodcats.org/uploads/File/Resources/NC%20TNR%20Handbook_PRINT_v5-4.pdf.

2. Alley Cat Allies' Conduct TNR Guide: www.alleycat.org/page.aspx?pid=889

3. "Community TNR: Tactics and Tools" by Bryan Kortis, which is published by PetSmart Charities. To download a digital copy, or to order a print copy, visit: www.petsmartcharities.org/pro/community-tnr-tactics-and-tools

- **Should the program be publicized?** Letting your constituents know that you are saving animals and funds will enhance your overall town image. Residents are overwhelmingly supportive of TNVM projects, especially when they understand that they are likely to reduce feral cat populations while also reducing impoundments and euthanasia. Publicizing the program is important to getting information about where the cats are, donations, and volunteers. The more people you reach with the message that you are using a humane management approach the easier it will be for people to gain confidence that you are there to help the animals and the people who care for them. This will bring current cat caregivers out in the open. Information about the program can be shared through local newspapers, community television, and social media such as municipal and "Friends Of" organization Facebook pages. Other methods of community outreach are short presentations to schools and civic groups, and flyers posted in public locations.

Once the program is underway, statistics should be kept and published, and successes and challenges should be published. Successful programs like Spartanburg SC, Jacksonville, FL. through Jacksonville Humane Society and First Coast No More Homeless Pets: (www.jaxhumane.org/about-us/news/13-02-12/The_Jacksonville_Humane_Society_and_First_Coast_No_More_Homeless_Pets_Offer_Free_Feral_Cat_Spays_and_Neuters.aspx), and City of Elk Grove, Cal.: (www.elkgrovecity.org/animals/feral-cats.asp) show transparency by sharing a great deal of information about their programs, successes and challenges on the web and in the media. Consideration should be given to

having an animal welfare tab added to each municipal website. Information on TNVM, as well as rabies clinics, lost/found pet contacts, 24 hour emergency veterinarians, pet adoption sites, etc., should be posted for all residents to view. Who to contact when animals (both domestic and wild) are found to be abandoned or injured should also be provided. Education in schools should also be considered. The Sustainable Jersey action, “Animals in the Community Education” provides additional resources for these efforts.

- **Should colonies be registered?** Individual cat licensing cannot be applied to managed feral cat colonies for a host of reasons, including the impracticality of universal vaccination schedules that go with such licensing, the fact that feral cats cannot wear collars or tags as they cannot be handled except under anesthesia, and because caregivers’ and nonprofits’ resources should go toward the management of the colonies and spay/neuter rather than license fees, and that there are often multiple people and entities involved with the care of the cats and no one traditional “owner.”

Cat colonies can be tracked by municipalities in a number of ways. One method is to require a sponsor entity to hold the records and register the colonies and make such records and information available to the town for inspection as needed.

This method may avoid potential public records issues (see Legal Concerns). Another method is to require the sponsor or caregiver to register the colonies with the town and provide the records for each cat. One municipality in New Jersey calls such registration a Colony License.

Fee and it is suggested that caregivers should not be charged for such registration, as the goal is to encourage rather than discourage residents and nonprofits to participate in the program and register the cats.

The sponsor entity or colony caregivers should be required to provide an annual report and/or records of the colonies’ activities (growth, reduction, etc.), understanding that the goal is zero growth and ultimate reduction. The best indicator of the success of TNVM is the reduction over time of the numbers of cats in the colonies and municipalities.

- **How are colonies tracked? How are records maintained?** Either the sponsor entity or each colony’s

caregiver will need to keep specific records on the cats in the colony, including breed, coloring, sex, dates spay/neutered and vaccinations given by date, etc. Record keeping should include any re-vaccination scheduling and actions. A sample entry for a cat, for example, may include: “domestic short hair, white, male, neutered on 1/5/14, and administered rabies and distemper on 1/5/14.” This will help the colony caregiver to make sure that vaccines are updated and also will help the colony caregiver to identify cats that have come into the colony after the initial census. Caregivers need to understand that the goal of TNVM is zero colony growth as well as the eventual elimination of the colony through natural attrition. Neighborhood Cats offers some reporting documents which can be used and customized to the needs of the individual municipality: (www.feralcatfocus.org/id-content/uploads/2013/09/Colony-Medical-Record-Log-10-26-13.pdf)

Microchipping can assist with identification of individual cats, especially when cats in a colony physically resemble each other. Sponsor entities that are nonprofits or town committees or animal control can purchase microchips in bulk for \$5 each through the Petfinder Furkeeps program. However, if there is no sponsor entity and bulk purchasing, individual caregivers are responsible for costs and vet care,

and microchipping may be prohibitively expensive. If microchips cannot be bought, the World Society for the Protection of Animals provides a document (www.icam-coalition.org/downloads/ICAM-Humane%20cat%20population.PDF) that discusses a variety of other identification methods. Some of these methods may be employed by the colony caregiver to identify the cats under his/her care.

- **What happens if new cats arrive at an existing colony?**

If a cat is newly abandoned or dropped off at a colony, the municipal agency responsible for colony oversight should be contacted and necessary steps should be taken to find the original owner if there is one, which may include impounding the cat for 7 days. In order to maintain the trust and cooperation of the caregivers, they or the sponsor entity or an associated rescue organization should be allowed to claim the cat after the seven day hold if the impoundment facility is unable to adopt the cat out. This is important, because if the municipality requires caregivers to report newcomers and then euthanizes the newcomers after seven days, caregivers are likely to stop reporting them and the cycle of



reproduction may start anew. If a new cat who is feral enters the colony, the caregiver or sponsor entity should be allowed to TNVR the cat after the above steps have been taken.

- **What if a cat in a managed colony gets sick or injured?** Colony cats that appear ill or injured should be captured and given medical treatment.

- **What about barn cats?** In rural areas, many farms have cats for rodent control, who live primarily out-doors, in a feral or semi feral condition, usually sheltering in outbuildings. Permits for farm cats should be addressed on a community level. However, it is still recommended that all barn cats be vaccinated, spayed or neutered.

- **What is the Impact of Feral Cat Colonies on Wildlife?** There are many points of view related to managing cat colonies and it is important to find common ground perspectives between wildlife and cat organizations when developing a community based program. Identifying shared goals is a great first step at building an effective program. Groups often agree that approaches that focus on the ultimate elimination of feral or free roaming cat colonies should consider ways of improving the conditions and conservation status for birds, small mammals that could be impacted by cat predation. One example of a collaborative program was the Burlington County “*Ordinance and Protocols for the Management of Feral Cat Colonies in Wildlife-Sensitive Areas in Burlington County, New Jersey*” which identified a common goals and articulated an approach to “humanely and non-lethally reduce the number of feral cats, reduce feral cat predation and other adverse impact on wildlife and benefit public health”.

- **What’s available in the Resource Compendium?**

RESOURCE #1: Managing Community Cats: A Guide for Municipal Leaders

RESOURCE #2: PetSmart Charities Community TNR: Tactics and Tools, Authored by Bryan Kortis

RESOURCE #3: Technical Support for Setting Up Municipal Programs

RESOURCE #4: New Jersey Statewide Policies and Laws

RESOURCE #5: New Jersey TNR Ordinances

RESOURCE #6: Grants, Other Sources of Funding and Low-Cost Spay/Neuter

RESOURCE #7: Connecting to NJ Municipalities with Established Programs

RESOURCE #8: Edison, NJ’s outline for managing feral cats through animal control

RESOURCE #9: Guide to the Hands-On Elements of TNR (Trapping, Equipment, Post-Op Care, Etc.)

Additional Resources

CONCLUSION

With an estimated community/feral cat population in New Jersey of over 600,000 cats, we hope this guide will help your municipality address this problem while reducing costs to taxpayers and building community support and interaction.

Contact Information:

For further information, please refer to the organizations serving on Sustainable Jersey’s Animals in the Community Task Force, whose representatives and emails, (as well as website addresses) are found on the first pages of this document.



Animals in the Community